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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/505,138	08/19/2004	Rango Dietrich	26230	1681
34375 7590 09/04/2009 NATH & ASSOCIATES PLLC 112 South West Street Alexandria, VA 22314				
EXAMINER				
SILVERMAN, ERIC E				
ART UNIT		PAPER NUMBER		
1618				
MAIL DATE		DELIVERY MODE		
09/04/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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10505138	8/19/2004	DIETRICH ET AL.	26230

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EXAMINER

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1618	20090902

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Commissioner for Patents

The summary of claimed subject matter contained in the brief is deficient. 37 CFR 41.37(c)(1)(v) requires the summary of claimed subject matter to include: (1) a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number, and to the drawing, if any, by reference characters and (2) for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function as permitted by 35 U.S.C. 112, sixth paragraph, must be identified and the structure, material, or acts described in the specification as corresponding to each claimed function must be set forth with reference to the specification by page and line number, and to the drawing, if any, by reference characters. The brief is deficient because the phrase "or pellet" was deleted from the claims by the amendment filed 7/25/2008. The claims as they appear in the brief do not properly reflect this amendment, and improperly include the phrase "or pellet."

/Eric E. Silverman/
Primary Examiner, Art Unit 1618